

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff

VS.

COMMONWEALTH OF PUERTO RICO ET AL.  
Defendant

CASE #: 3:12-CV-2039 (GAG)

**ORDER**

It is public knowledge that the former monitor in this case has accused the undersigned district judge of unethical conduct by allowing the firm of McConnell Valdes to appear as counsel for the Police Bureau. He further alleges a conflict insofar as the undersigned's father works at McConnell Valdes.

It is undisputed that Gustavo A. Gelpi Senior is not an equity partner at McConnell Valdes. More so, since closing his firm over 15 years ago, he has worked at McConnell Valdes as a contract employee. In the case at bar, he has not appeared as counsel of record, nor was he responsible for McConnell Valdes being retained as counsel by the Police Bureau (and indeed, counsel for the firm always informed attorney Maria Dominguez was the one whom initially the Bureau sought to retain).

The United States is aware of the preceding information and has never sought to disqualify the undersigned nor McConnell Valdes (who came in as counsel seven years after the undersigned had been presiding over the case). However, because the purported conflict only became an issue recently and extrajudicially, the United States never has had the opportunity to express itself for the record.

Accordingly, the United States shall on or before **May 29<sup>th</sup>, 2019** state its position as to the disqualification of both the undersigned and McConnell Valdes. In doing so, it shall look at Oriental Financial Group, Inc v. Federal Insurance Company, Inc., 450 F.Supp.2d 169 (D.P.R 2006), in particular, reference to the Code of Judicial Conduct and respective

advisory opinions. This motion shall be filed in restricted mode so that only the United States and McConnell Valdes have access.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 23<sup>rd</sup> day of May of 2019.

S/ GUSTAVO A. GELPI  
Gustavo A. Gelpi  
U.S. District Judge